

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James R. Casciani et al.

Application No.:

Filed: HEREWITH

For: Pulse Oximeter and Sensor
Optimized for Low Saturation

Examiner:

Art Unit:

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Assistant Commissioner for Patents
Washington, D.C. 20231

October 30, 2003

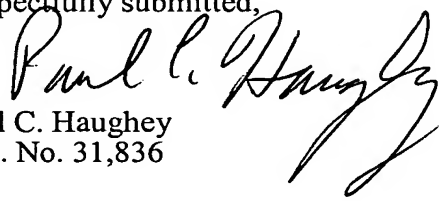
Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/882,371, filed January 14, 2001 (Attorney Docket No. 9103-009730US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to charge such fee from the undersigned's Deposit Account No. 20-1430.

Respectfully submitted,


Paul C. Haughey
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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

4

Complete if Known

Application Number

Filing Date

HEREWITH

First Named Inventor

Group Art Unit

Examiner Name

Attorney Docket Number

009103-009740US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	0001	3,638,640		Shaw	02/01/1972	
	0002	3,847,483		Shaw et al.	11/12/1974	
	0003	4,114,604		Shaw et al.	09/19/1978	
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	0020	5,421,329		Casciani et al.	06/06/1995	
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	0028	6,272,363		Casciani et al.	08/07/2001	
	0029	6,298,253	B1	Buschmann	10/2001	

Examiner
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		Application Number	
		Filing Date	HEREWITH
		First Named Inventor	
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Sheet	2	of	4
		Attorney Docket Number	009103-009740US

FOREIGN PATENT DOCUMENTS									
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		Office ³	Number ⁴	Kind Code ⁵ (if known)					
	0030	WO	92/21283	A	Somanetics Corp.	10/12/92			
	0031	EP	0 522 674	A2	Robinson et al.	13/01/93			
	0032	UK	1 595 206			12/08/81			
	0033	UK	1 595 207			12/08/81			
OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS									
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.							T ²
	0034	"Physio-optical considerations in the design of fetal pulse oximetry sensors", P.D. MANNHEIMER ET AL., European Journal of Obstetrics & Gynecology and Reproductive Biology 72 Suppl. 1 (1997) S9-S19.							
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	0044	"Effect of Anemia on Pulse Oximeter Accuracy at Low Saturation", JOHN W. EVERINGHAUS, MD ET AL., Journal of Clinical Monitoring Vol. 6, No. 2, April 1990.							
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Examiner Signature					Date Considered				

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		Group Art Unit	
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Sheet 3 of 4	Attorney Docket Number	009103-009740US	

FOREIGN PATENT DOCUMENTS								
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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	0047				"Accuracy of Response of Six Pulse Oximeters to Profound Hypoxia", JOHN W. SEVERINGHAUS MD ET AL., Anesthesiology, Vol. 67, No. 4, October 1987.			
	0048				"The influence of changes in blood flow on the accuracy of pulse oximetry in humans", M. VEGFORS ET AL., Acta Anaesthesiol Scand. 1992: 36: 346-349.			
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	0051				"In Vivo Reflectance of Blood and Tissue as a Function of Light Wavelength", WEIJIA CUI ET AL., IEEE Transactions on Biomedical Engineering, Vol. 37, No. 6, June 1990.			
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	0053				"Experimental and Clinical Evaluations of a Noninvasive Reflectance Pulse Oximeter Sensor", SETSUO TAKATANI ET AL., Journal of Clinical Monitoring, Vol. 8, No. 4, October 1992.			
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	0058				"Fetal Oxygenation in Chronic Maternal Hypoxia; What's Critical?", BEREND OESEBURG ET AL., Oxygen Transport to Tissue XIV, Edited by W. Erdmann et al., Plenum Press, New York 1992.			
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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	0064	"Time resolved reflectance and transmittance for the non-invasive measurement of tissue optical properties", MICHAEL S. PATTERSON ET AL., Applied Optics, 15 June 1989 / Vol. 28, No. 12.						
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